

Federal Communications Commission

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applications from Bell operating companies for authority to provide in-region interLATA services and applications from wireline carriers for transfers of licenses and discontinuance of service.

(e) Develop and administer rules and policies relating to incumbent local exchange carrier accounting.

(f) Develop and administer record-keeping and reporting requirements for telecommunications carriers.

(g) Provide federal staff support for the Federal-State Joint Board on Universal Service and the Federal-State Joint Board on Jurisdictional Separations.

(h) Review the deployment of advanced telecommunications capability to ensure that such deployment is reasonable and timely, consistent with section 706 of the Act, and, where appropriate, recommend action to encourage such deployment.

(i) Provide economic, financial, and technical analyses of telecommunications markets and carrier performance.

(j) Interact with the public, local, state, and other governmental agencies and industry groups on wireline telecommunications regulation and related matters. Assist the Consumer and Governmental Affairs Bureau on issues involving informal consumer complaints and other general inquiries by consumers.

(k) Review and coordinate orders, programs and actions initiated by other Bureaus and Offices in matters affecting wireline telecommunications to ensure consistency with overall Commission policy.

(l) Carry out the functions of the Commission under the Communications Act of 1934, as amended, except as reserved to the Commission under §0.331.

[67 FR 13218, Mar. 21, 2002]

CABLE SERVICES BUREAU

§0.101 [Reserved]

ENFORCEMENT BUREAU

§0.111 Functions of the Bureau.

(a) Serve as the primary Commission entity responsible for enforcement of

the Communications Act and other communications statutes, the Commission's rules, Commission orders and Commission authorizations, other than matters that are addressed in the context of a pending application for a license or other authorization or in the context of administration, including post-grant administration, of a licensing or other authorization or registration program.

(1) Resolve complaints, including complaints filed under section 208 of the Communications Act, regarding acts or omissions of common carriers (wireline, wireless and international).

NOTE TO PARAGRAPH (a)(1): The Consumer and Governmental Affairs Bureau has primary responsibility for informally resolving individual informal complaints from consumers against common carriers (wireline, wireless and international) and against other wireless licensees, and informal consumer complaints involving access to telecommunications services and equipment for persons with disabilities. The International Bureau has primary responsibility for complaints regarding international settlements rules and policies.

(2) Resolve complaints regarding acts or omissions of non-common carriers subject to the Commission's jurisdiction under Title II of the Communications Act and related provisions, including complaints against aggregators under section 226 of the Communications Act and against entities subject to the requirements of section 227 of the Communications Act.

NOTE TO PARAGRAPH (a)(2): The Consumer and Governmental Affairs Bureau has primary responsibility for informally resolving individual informal complaints from consumers against non-common carriers subject to the Commission's jurisdiction under Title II of the Communications Act and related provisions.

(3) Resolve formal complaints regarding accessibility to communications services and equipment for persons with disabilities, including complaints filed pursuant to sections 225 and 255 of the Communications Act.

(4) Resolve complaints regarding radiofrequency interference and complaints regarding radiofrequency equipment and devices, including complaints of violations of sections 302 and 333 of the Communications Act.

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NOTE TO PARAGRAPH (a)(4): The Office of Engineering and Technology has shared responsibility for radiofrequency equipment and device complaints.

(5) Resolve complaints regarding compliance with the Commission's Emergency Alert System rules.

(6) Resolve complaints regarding the lighting and marking of radio transmitting towers under section 303(q) of the Communications Act.

NOTE TO PARAGRAPH (a)(6): The Wireless Telecommunications Bureau has responsibility for administration of the tower registration program.

(7) Resolve complaints regarding compliance with statutory and regulatory provisions regarding indecent communications subject to the Commission's jurisdiction.

(8) Resolve complaints regarding the broadcast and cable television children's television programming commercial limits contained in section 102 of the Children's Television Act.

NOTE TO PARAGRAPH (a)(8): The Media Bureau has responsibility for enforcement of these limits in the broadcast television renewal context.

(9) Resolve complaints regarding unauthorized construction and operation of communications facilities, including complaints of violations of section 301 of the Communications Act.

(10) Resolve complaints regarding false distress signals under section 325(a) of the Communications Act.

(11) Resolve other complaints against Title III licensees and permittees.

NOTE TO PARAGRAPH (a)(11): The Media Bureau has primary responsibility for complaints regarding children's television programming requirements, and for political and related programming matters and equal employment opportunity matters involving broadcasters, cable operators and other multichannel video programming distributors. The relevant licensing Bureau has primary responsibility for complaints involving tower siting and the Commission's environmental rules. The Media Bureau has primary responsibility for complaints regarding compliance with conditions imposed on transfers of control and assignments of licenses of Cable Antenna Relay Service authorizations.

(12) Resolve complaints regarding pole attachments filed under section 224 of the Communications Act.

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(13) Resolve complaints regarding multichannel video and cable television service under part 76 of the Commission's rules.

NOTE TO PARAGRAPH (a)(13): The Media Bureau has primary responsibility for complaints regarding the following: subpart A (general), with the exception of §76.11 of this chapter; subpart B (Registration Statements); subpart C (Federal-State/Local Relationships [Reserved]); subpart D (carriage of television broadcast signals); subpart E (equal employment opportunity requirements); subpart F (nonduplication protection and syndicated exclusivity); subpart G, §§76.205, 76.206 and 76.209 of this chapter (political broadcasting); subpart I (Forms and Reports); subpart J (ownership); subpart L (cable television access); subpart N, §76.944 of this chapter (basic cable rate appeals), and §§76.970, 76.971 and 76.977 of this chapter (cable leased access rates); subpart O (competitive access to cable programming); subpart P (competitive availability of navigation devices); subpart Q (regulation of carriage agreements); subpart S (Open Video Systems); and subparts T, U and V to the extent related to the matters listed in this note.

(14) Resolve complaints regarding other matters assigned to it by the Commission, matters that do not fall within the responsibility of another Bureau or Office or matters that are determined by mutual agreement with another Bureau or Office to be appropriately handled by the Enforcement Bureau.

(15) Identify and analyze complaint information, conduct investigations, conduct external audits and collect information, including pursuant to sections 218, 220, 308(b), 403 and 409(e) through (k) of the Communications Act, in connection with complaints, on its own initiative or upon request of another Bureau or Office.

(16) Issue or draft orders taking or recommending appropriate action in response to complaints or investigations, including, but not limited to, admonishments, damage awards where authorized by law or other affirmative relief, notices of violation, notices of apparent liability and related orders, notices of opportunity for hearing regarding a potential forfeiture, hearing designation orders, orders designating licenses or other authorizations for a revocation hearing and consent decrees. Issue or draft appropriate orders

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after a hearing has been terminated by an Administrative Law Judge on the basis of waiver. Issue or draft appropriate interlocutory orders and take or recommend appropriate action in the exercise of its responsibilities.

(17) Encourage cooperative compliance efforts.

(18) Mediate and settle disputes.

(19) Provide information regarding pending complaints, compliance with relevant requirements and the complaint process, where appropriate and to the extent the information is not available from the Consumer and Governmental Affairs Bureau or other Bureaus and Offices.

(20) Exercise responsibility for rule-making proceedings regarding general enforcement policies and procedures.

(21) Advise the Commission or responsible Bureau or Office regarding the enforcement implications of existing and proposed rules.

(22) Serve as the primary point of contact for coordinating enforcement matters, including market and consumer enforcement matters, with other federal, state and local government agencies, as well as with foreign governments after appropriate consultation, and provide assistance to such entities. Refer matters to such entities, as well as to private sector entities, as appropriate.

(b) Serve as trial staff in formal hearings conducted pursuant to 5 U.S.C. 556 regarding applications, revocation, forfeitures and other matters designated for hearing.

(c) Under the general direction of the Defense Commissioner, coordinate the defense activities of the Commission and provide support to the Defense Commissioner with respect to his or her participation in the Joint Telecommunications Resources Board, and the National Security Telecommunications Advisory Committee and other organizations. Recommend national emergency plans and preparedness programs covering Commission functions during national emergency conditions. Support the Chief of the Common Carrier, International and Wireless Telecommunications Bureaus on matters involving assignment of Telecommunications Service Priority System priorities and in administration of that sys-

tem. The Chief, Enforcement Bureau, or that person's designee, acts as FCC Alternate Defense Coordinator and principal to the National Communications System. Perform such alternate functions as may be delegated during a national emergency or following activation of the President's war emergency powers as specified in section 706 of the Communications Act.

(d) In coordination with the International Bureau, participate in international conferences dealing with monitoring and measurement; serve as the point of contact for the U.S. Government in matters of international monitoring, fixed and mobile direction-finding and interference resolution; and oversee coordination of non-routine communications and materials between the Commission and international or regional public organizations or foreign administrations.

(e) In conjunction with the Office of Engineering and Technology, work with technical standards bodies.

(f) Administer the Commission's Emergency Alert System. Be responsible for rulemakings involving the Emergency Alert System.

(g) Oversee the Commission's privatized ship radio safety inspection program.

(h) Have authority to rule on emergency requests for Special Temporary Authority during non-business hours.

(i) Provide field support for, and field representation of, the Bureau, other Bureaus and Offices and the Commission. Coordinate with other Bureaus and Offices as appropriate.

(j) Handle congressional and other correspondence relating to or requesting specific enforcement actions, specific complaints or other specific matters within the responsibility of the Bureau, to the extent not otherwise handled by the Consumer Information Bureau, the Office of General Counsel (impermissible *ex parte* presentations) or another Bureau or Office.

(k) Have authority to issue non-hearing related subpoenas for the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, schedules of charges, contracts, agreements, and any other records deemed relevant to the investigation of matters within the

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responsibility of the Bureau. Before issuing a subpoena, the Enforcement Bureau shall obtain the approval of the Office of General Counsel.

(1) Perform such other functions as may be assigned or referred to it by the Commission.

[64 FR 60716, Nov. 8, 1999, as amended at 67 FR 13218, Mar. 21, 2002]

§0.121 Location of field installations.

(a) Field offices are located throughout the United States. For the address and phone number of the closest office contact the Enforcement Bureau or see the U.S. Government Manual.

(b) Protected field offices are located at the following geographical coordinates (coordinates are referenced to North American Datum 1983 (NAD83)):

Allegan, Michigan
42°36'20.1" N. Latitude
85°57'20.1" W. Longitude
Anchorage, Alaska
61°09'41." N. Latitude
150°00'03.0" W. Longitude
Belfast, Maine
44°26'42.3" N. Latitude
69°04'56.1" W. Longitude
Canandaigua, New York
42°54'48.2" N. Latitude
77°15'57.9" W. Longitude
Douglas, Arizona
31°30'02.3" N. Latitude
109°39'14.3" W. Longitude
Ferdale, Washington
48°57'20.4" N. Latitude
122°33'17.6" W. Longitude
Grand Island, Nebraska
40°55'21.0" N. Latitude
98°25'43.2" W. Longitude
Kingsville, Texas
27°26'30.1" N. Latitude
97°53'01.0" W. Longitude
Laurel, Maryland
39°09'54.4" N. Latitude
76°49'15.9" W. Longitude
Livermore, California
37°43'29.7" N. Latitude
121°45'15.8" W. Longitude
Powder Springs, Georgia
33°51'44.4" N. Latitude
84°43'25.8" W. Longitude
Santa Isabel, Puerto Rico
18°00'18.9" N. Latitude
66°22'30.6" W. Longitude
Vero Beach, Florida
27°36'22.1" N. Latitude
80°38'05.2" W. Longitude
Waipahu, Hawaii
21°22'33.6" N. Latitude

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157°59'44.1" W. Longitude

[53 FR 29054, Aug. 2, 1988, as amended at 61 FR 8477, Mar. 5, 1996; 63 FR 68918, Dec. 14, 1998; 64 FR 60718, Nov. 8, 1999; 67 FR 13219, Mar. 21, 2002]

WIRELESS TELECOMMUNICATIONS BUREAU

§0.131 Functions of the Bureau.

The Wireless Telecommunications Bureau develops, recommends and administers the programs and policies for the regulation of the terms and conditions under which communications entities offer domestic wireless telecommunications services and of ancillary operations related to the provision of such services (satellite communications excluded). These functions include all wireless telecommunications service providers' and licensees' activities. The Bureau also performs the following specific functions:

(a) Advises and makes recommendations to the Commission, or acts for the Commission under delegated authority, in all matters pertaining to the licensing and regulation of wireless telecommunications, including ancillary operations related to the provision or use of such services; and any matters concerning wireless carriers that also affect wireline carriers in cooperation with the Wireline Competition Bureau. These activities include: policy development and coordination; conducting rulemaking and adjudicatory proceedings, including licensing and complaint proceedings for matters not within the responsibility of the Enforcement Bureau; acting on waivers of rules; acting on applications for service and facility authorizations; compliance and enforcement activities for matters not within the responsibility of the Enforcement Bureau; determining resource impacts of existing, planned or recommended Commission activities concerning wireless telecommunications, and developing and recommending resource deployment priorities.

(b) Develops and recommends policy goals, objectives, programs and plans for the Commission on matters concerning wireless telecommunications, drawing upon relevant economic, technological, legislative, regulatory and